

REMARKS

In an Office Action dated March 11, 2008, the Examiner has rejected Claims 49-59 under 35 USC § 101 as being directed to non-statutory subject matter and under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner has rejected Claims 1-5, 11-17, 23-29, 35-42 and 48-54 under 35 USC §102(e) as being anticipated by USPN 6,920,146 issued to Johnson et al. ("Johnson"). The Examiner has objected to Claims 6-10, 18-22, 30-34, 43-47 and 55-59 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims, and for Claims 55-59, if the rejections under 35 USC §§ 101 and 112 are overcome.

In this response, and without admitting the propriety of the rejections, Applicant has canceled independent claims 1, 11, 23 and 36, as well as dependent claims 16, 28, 41, and 53, without prejudice. Applicants respectfully traverse the rejection of the remaining claims. Applicants thank the Examiner for the indication of allowable subject matter, and have amended Claims 2-3, 5-6, 12-13, 17-18, 24-25, 29-30, 35, 37-38, 42-43, 48-51, 54-56, and 58 to place the application in condition for allowance. Applicants request reconsideration of remaining Claims 2-10, 12-15, 17-22, 24-27, 29-35, 37-40, 42-52, and 54-59 in view of arguments as set forth in detail in the following remarks.

CLAIM REJECTIONS – 35 U.S.C. §§ 101 and 112

Claims 49-59 were rejected under 35 USC §§ 101 and 112 as being directed to non-statutory subject matter, and further as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants traverse the rejections. Nevertheless, in an effort to advance the prosecution of the application to allowance as quickly as possible, Applicants have amended the claims to more particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Applicants respectfully request that the rejections be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 102

Claims 1-5, 11-17, 23-29, 35-42 and 48-54 were rejected under 35 U.S.C. § 102(e) as being anticipated by Johnson. Applicants traverse the rejections. Nevertheless, in an effort to advance the prosecution of the application to allowance as quickly as possible, Applicants have amended the claims in accordance with the indication of allowable subject matter as set forth below.

ALLOWABLE SUBJECT MATTER / CLAIM OBJECTIONS

Claims 6-10, 18-22, 30-34, 43-47 and 55-59 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims; and for Claims 55-59, if the rejections under 35 USC §§ 101 and 112 are overcome.

Applicants thank the Examiner for the indication of allowable subject matter. Applicants have canceled independent Claims 1, 11, 23 and 36, as well as dependent Claims 16, 28, 41, and 53, all without prejudice, and have amended Claims 2-3, 5-6, 12-13, 17-18, 24-25, 29-30, 35, 37-38, 42-43, 48-51, 54-56, and 58. Applicants submit that the remaining claims 2-10, 12-15, 17-22, 24-27, 29-35, 37-40, 42-52, and 54-59 are allowable over the cited and applied art of record. Accordingly, Applicants submit that the application has now been placed in condition for allowance.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, Claims 2-10, 12-15, 17-22, 24-27, 29-35, 37-40, 42-52, and 54-59 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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Date: June 11, 2008

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